

23447

**DECLARATION AND POWER OF ATTORNEY**

As a below named Inventor, I hereby declare that: My residence, post-office address, and citizenship are as stated below next to my name,  
I believe that I am the original, first, and sole Inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**CUTTING INSERT**

the specification of which was filed on 2 July 2004 as PCT application PCT/DE2004/001406.  
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 USC 119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Applications**

| Country | Number         | Filing Date   | Priority claimed |
|---------|----------------|---------------|------------------|
| DE      | 10331148.3     | 9 July 2003   | Yes              |
| DE      | 10333621.4     | 24 July 2003  | Yes              |
| DE      | 202004004654.7 | 23 March 2004 | Yes              |

I hereby claim the benefit under 35 USC 120 of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States Application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose material information as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

| Serial Number     | Filing Date | Status  |
|-------------------|-------------|---------|
| PCT/DE2004/001406 | 2 July 2004 | Pending |

I hereby appoint as attorneys to prosecute this application and to transact all business connected therewith:

Herbert Dubno, Reg. 19,752; Jonathan Myers, Reg. 26,963; Andrew Wilford, Reg. 26,597 and each of them individually.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: *Markus HEINLOTH*

Inventor's signature *Markus HEINLOTH* Date: *11/07/08* Citizen of Germany  
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